

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

OCT 18 2005

**Eastern District of Washington**

JAMES H. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Jonathan Michael Passmore      Case Number: 2:00CR00101-001  
Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge  
Date of Original Sentence: 9/13/2000      Type of Supervision: Supervised Release  
Original Offense: Aiding and Abetting Armed Bank Robbery, 18 U.S.C. §§ 2113(a) and (d) and 2      Date Supervision Commenced: 3/28/2004  
Original Sentence: Prison - 48 Months;  
TSR - 60 Months      Date Supervision Expires: 3/27/2009

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

15. You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

**CAUSE**

On October 1, 2005, the defendant was arrested by Spokane police and charged with driving while under the influence of alcohol. At that time, Mr. Passmore submitted blood alcohol content tests which reveled his blood alcohol level to be .142 and .150. The matter is pending in the Spokane Municipal Court.

The defendant signed an admission of alcohol consumption document at the U.S. Probation Office on October 3, 2005, and said document is attached. The undersigned officer met with Mr. Passmore on October 13, 2005, and discussed the incident and concern for his non-compliance of consuming alcohol and operating a motor vehicle. Mr. Passmore was reminded that he is prohibited from consuming alcohol while on supervised release. Subsequently, the defendant was referred to New Horizons Care Centers for a substance abuse evaluation, and his frequency of drug and alcohol testing was increased.

Prob 12B

**Re: Passmore, Jonathan Michael**

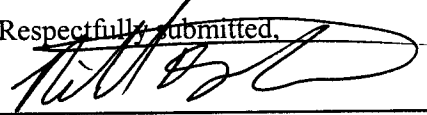
**October 13, 2005**

**Page 2**

At this time, the above modification of conditions appears warranted to address the defendant's alleged non-compliance, and assure his whereabouts limiting his activities outside of his residence. Mr. Passmore has agreed to said modification, and signed the attached waiver of hearing to modify conditions.

Respectfully submitted,

by

  
Richard B. Law  
U.S. Probation Officer  
Date: October 13, 2005

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### THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

Date



# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

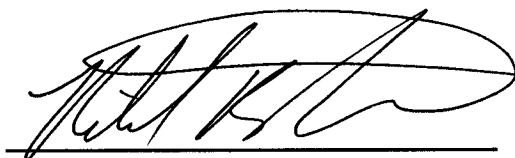
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 15 You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

Witness:



Richard B. Law  
U.S. Probation Officer

Signed:



Jonathan Michael Passmore  
Probationer or Supervised Releasee

October 13, 2005

Date

USPTSO/USPO 10-3-05  
Date